

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, AMENDING ORDINANCE NO. 73-2, AS AMENDED, "ZONING CODE OF PALM BEACH COUNTY, FLORIDA," CREATING PROVISIONS FOR THE RES-RESIDENTIAL TRANSITIONAL SUBURBAN DISTRICT; AMENDING SECTION 500.18 B 6 TO INCLUDE THE RTS DISTRICT IN THE DEFINITION OF "RESIDENTIAL DISTRICTS"; AMENDING CHAPTER VI, "ZONING CODE OF PALM BEACH COUNTY" TO REFLECT SECTION NUMBERS AND TITLES CONTAINED IN SECTION 300.1, AS AMENDED BY ORDINANCE NO. 81-29; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES OF PALM BEACH COUNTY, FLORIDA; PROVIDING FOR SEVERABILITY OF ENACTED PROVISIONS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT WITH THIS ORDINANCE; AND FOR AN EFFECTIVE DATE.

WHEREAS, the Local Government Comprehensive Planning Act of 1975, as amended, Section 163.3161 et. seq., Florida Statutes, requires each local government to adopt a Comprehensive Plan to guide and manage future development; and

WHEREAS, the Board of County Commissioners of Palm Beach County, pursuant to said Act, adopted Ordinance No. 80-8, establishing a Comprehensive Plan for Palm Beach County; and

WHEREAS, the Palm Beach County Comprehensive Plan recognizes the necessity for the establishment of a new Zoning District, RTS-Residential Transitional Suburban District; and

WHEREAS, Chapter 125 and 163, Florida Statutes, grant the authority to the Board of County Commissioners to adopt, amend and enforce zoning regulations within the unincorporated area of Palm Beach County; and

WHEREAS, the Board of County Commissioners of Palm Beach County now finds and determines that it is in the public's best interest to establish the RTS-Residential Transitional Suburban District; and

WHEREAS, it is necessary to amend Chapter VI of the Zoning Code of Palm Beach County, Florida, to correct the section numbers and names of the Zoning Districts to bring them into conformity with Section 300.1 of the Zoning Code, as amended by Ordinance No. 81-29, and to adjust Chapter VI to provide for the inclusion of the new RTS-Residential Transitional Suburban District.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, THAT ORDINANCE NO. 73-2, as

amended, known as the Zoning Code of Palm Beach County, Florida, is hereby amended as follows:

SECTION I

Section 605, of Ordinance No. 73-2, as amended, is created to read as follows:

605 RTS-RESIDENTIAL TRANSITIONAL SUBURBAN DISTRICT

A. PURPOSE AND INTENT

The purpose and intent of the RES District is to provide areas for low intensity single family development at or near the fringe of urban development. The provision of active recreational facilities within the privacy of an individual lots and the preservation of natural site features is encouraged to minimize the impact of such development upon the community.

B. PERMITTED USES.

In the RTS-Residential Transitional Suburban District, no building, structure or land and water use shall be permitted except for one or more of the following uses:

SINGLE FAMILY DWELLING and its customary accessory uses

PRIVATE GARAGE accessory to its principal residence

PRIVATE SWIMMING POOL accessory to a principal residence

(See Section 500.14)

RESIDENCE ACCESSORY USE (See Section 500.1)

HOME OCCUPATIONS (See Section 500.2)

C. SPECIAL EXCEPTION USES, SUBJECT TO COMMISSION APPROVAL

When the Commission determines as a fact, after the review of the application and plans submitted therewith, that the conditions and provisions of Chapter 1, Section 102, Chapter IV, Sections 400, 400.1, 401, and other regulations as set forth and defined in this Code have been met, and when the proposed use or uses are consistent with good zoning practice and are not contrary to the policies of the Comprehensive Land Use Plan of Palm Beach County, the following uses shall be permitted:

PUBLIC OPERATED PARKS AND RECREATION AREAS

PUBLIC AND PRIVATE UTILITY SERVICES and Accessory Buildings and Structures (excluding sanitary landfill, incinerator, refuse and trash dumps)

GOVERNMENT SERVICES and Accessory Buildings and Structures
EDUCATIONAL INSTITUTIONS (excluding colleges and
universities, seminaries and vocational schools and training
centers)

RECREATIONAL FACILITIES and CLUBS

CHURCHES OR PLACES OF WORSHIP, RECTORY, CONVENT and
Accessory Buildings and Structures

DAY CARE CENTERS (See Section 500.12)

EXCAVATION and REMOVAL OF MUCK, SAND, ROCK, SHELL, SOIL OR
OTHER EXTRACTIVE MATERIALS (See Section 500.3)

PLANNED UNIT DEVELOPMENT (See Section 500.21)

PLANNED RESIDENTIAL DEVELOPMENT (See Section 500.33)

D. PROPERTY DEVELOPMENT REGULATIONS

1. Minimum Lot Area and Dimensions:

Area	$\frac{1}{2}$ acre
Width	100 feet
Depth	125 feet
Frontage	100 feet

2. Minimum Yard Setback Requirements:

(a) For Principal Structures:

Front	25 feet
Side (Interior)	15 feet
Side (Corner)	25 feet
Rear	25 feet

(b) For Accessory Structures

No accessory structures shall be located within front
or side (corner) setback, nor closer than ten (10) feet
from any interior side or rear property line, nor
closer to any property line than may be specified for a
particular structure by some other provision of this
Code.

3. Maximum Building Height and Lot Coverage

Maximum Building Height 35 feet

Maximum Lot Coverage 25% of the Total Lot Area.

4. Minimum Floor Area Requirements

One Bedroom	600 square feet
Two Bedrooms	800 square feet
Three Bedrooms	1000 square feet
More than three Bedrooms	1000 square feet plus 100 square feet for each additional bedroom.

E. SPECIAL REGULATIONS

1. ACCESS (See Section 500.20)
2. Offstreet Parking (See Section 500.17)
3. Offstreet Loading (See Section 500.19)
4. Parking, Storing, Keeping of Commercial and
Recreational Vehicles (See Section 500.18)
5. Landscaping (See Palm Beach County Landscape Code)
6. Fences and Walls (See Section 500.15)
7. Performance Standards (See Section 500.16)
8. Signs (See Palm Beach County Sign Code)

SECTION II.

Section 500.18 B 6 of Ordinance 73-2, as amended, the Zoning Code of Palm Beach County, is amended to read as follows: (~~Crossed-through~~ language indicates deletion from current wording and underlined language indicates addition to current wording).

B. DEFINITIONS

In addition to the definitions provided in Chapter II, the following definitions shall control this section.

6. The term "residential districts" for the purpose of this code shall mean all RE, RF, RTS, RS, RM, and RH Districts as established and designated upon the "Official Zoning Map."

SECTION III.

Chapter VI, ZONING DISTRICTS, is amended to reflect the section numbers and titles contained in Section 300.1, as amended by Ordinance No. 81-29 as follows:

Section 601 AP-Agricultural Preservation District is added by Ordinance No. 81-29.

Section 601 AG-Agricultural District is renumbered as Section 602 and retitled AP-Agricultural Residential District

Section 602 RE-Residential Estate District is renumbered as Section 603

Section 603 RT-Residential Transitional District is renumbered as Section 604

Section 605 RTS-Residential Transitional Suburban District is created by this Ordinance.

Section 604 RS-Residential Single Family District is renumbered as Section 606 and retitled RS-Single Family Residential District

Section 605 RM-Residential Multiple Family District (Medium Density) is renumbered as Section 607 and retitled RM-Multiple Family Residential District (Medium Density)

Section 606 RH-Residential Multiple Family District (High Density) is renumbered as Section 608 and retitled RH-Multiple Family Residential District (High Density)

Section 607 CN-Neighborhood Commercial District is renumbered as Section 609

Section 608 CG-General Commercial District is renumbered as Section 610

Section 609 CS-Specialized Commercial District is renumbered as Section 611

Section 610 IL-Light Industrial District is renumbered as Section 613

Section 611 IG-General Industrial District is renumbered as Section 614

Section 612 PC-Preservation/Conservation District is renumbered as Section 616

Section 613 PO-Public Ownership District is renumbered as Section 617

Section 614 CR-Conservation Restricted Use District is renumbered as Section 618

Section 617 PIPD-Planned Industrial Park District is renumbered as Section 615.

SECTION IV. INCLUSION IN THE CODE OF LAWS AND ORDINANCES OF PALM BEACH COUNTY, FLORIDA.

The provisions of this ordinance shall become and be made a part of the Codes of Laws and Ordinances of Palm Beach County, Florida. The Sections of this ordinance may be retitled, renumbered, or relettered to accomplish such, and the word ordinance may be changed to "Section," "Article," or other appropriate word.

SECTION V. SEVERABILITY OF INVALID PROVISIONS.

If any section, subsection, paragraph, sentence, clause, phrase, word, or portion thereof of this ordinance should be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions, which shall remain in full force and effect. To this end, the provisions of this ordinance are hereby declared to be severable.

SECTION VI. REPEAL OF LAWS IN CONFLICT WITH THIS ORDINANCE

Any provisions of any ordinances or laws of Palm Beach County, Florida, existing on the effective date of this ordinance, which are in conflict with the provisions contained herein shall be deemed repealed to the extent of such conflict.

SECTION VII. EFFECTIVE DATE.

The provisions of this ordinance shall become effective upon receipt of acknowledgment by the Department of State, State of Florida.

APPROVED and ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, this 30th day of August, 1983.

ATTEST:

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS

JOHN B. DUNKLE, Clerk

By: [Signature]
Deputy Clerk

By: [Signature]
Chairman

Acknowledged by the Department of State of the State of Florida, on this 2nd day of September, 1983.

EFFECTIVE DATE: Acknowledgment from the Department of State received on the 7th day of September, 1983, at 2:35 M. and filed in the office of the Clerk of the Board of County Commissioners of Palm Beach County, Florida.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY

By: [Signature]
County Attorney